



Statement of the U.S. Chamber of Commerce

**Public Comment before the Clean Air Scientific Advisory
Committee's Review of the Draft Policy Assessment for the
Review of the National Ambient Air Quality Standards for
Particulate Matter**

**Chad Whiteman
Vice President, Environment and Regulatory Affairs
Global Energy Institute**

**Clean Air Scientific Advisory Committee, Environmental
Protection Agency**

October 22, 2019

1615 H Street NW | Washington, DC | 20062

The Chamber's mission is to advance human progress through an economic, political and social system based on individual freedom, incentive, initiative, opportunity and responsibility.

Thank you for the opportunity to speak today regarding the Draft Policy Assessment for the Review of the National Ambient Air Quality Standards (NAAQS) for Particulate Matter (PM_{2.5}). I am Chad Whiteman and I am speaking on behalf of the U.S. Chamber of Commerce.

The Chamber is supportive of air quality standards that are necessary to protect public health and public welfare, and our members will take the appropriate measures that are required of them to attain and remain in attainment of those standards. We support basing the decision, whether to maintain or revise the NAAQS, on a holistic policy judgment informed by an unbiased review of the latest scientific evidence.

Across decades of planning and investment, businesses have worked with EPA and their state partners to lower ambient concentrations of PM and other criteria pollutants. These emissions reductions have occurred while the U.S. economy, population, and energy use has steadily grown—undoubtedly a testament to successful collaboration between EPA, states, and industry to adopt new emissions control technologies and practices in a sound, cost-effective manner. EPA's 2019 Air Trends and National Emissions Inventory reports detail this progress. The report shows that annual PM_{2.5} concentrations have declined by 39 percent since 2000, driven by major emissions reductions from sources such as highway vehicles (42 percent) and the power sector (69 percent). Total sulfur dioxide and nitrogen oxide emissions, which may contribute to the secondary formation of PM_{2.5} precursors under certain atmospheric conditions, were reduced by 89 percent and 57 percent, respectively, during this time period.

The Clean Air Act requires the Administrator to complete a review of a NAAQS at least every five years, which may lead to a decision to retain or revise a NAAQS. The Act also requires Clean Air Scientific Advisory Committee (CASAC) provide advice on retention or revision of a NAAQS. The Chamber supports the preparation of the Policy Assessment as a means to synthesize and communicate the many scientific and practical considerations that will factor into the Administrator's policy judgment on this issue.

Briefly, I will describe why we suggest the CASAC provide all appropriate guidance to the EPA to deliver to the Administrator the information in the Policy Assessment to support his policy decision of either retaining the current NAAQS or recommending a modification. First and foremost, we recommend you insist that any basis to distinguish between NAAQS options are quantitatively identified, and associated uncertainties evaluated when discussing any projected benefits that could form the basis for either modification or retention of the NAAQS.

As a practical matter, it is important that CASAC recognize the potential direct and indirect economic impacts that can accompany more stringent NAAQS requirements. NAAQS compliance has the potential to adversely affect jobs, business investment, and permitting in a broad range of important economic sectors and activities, even having impacts in areas of the country that are in attainment with the standards. For the 2012 PM NAAQS revisions, EPA estimated annualized costs of up to \$412 million per year (in 2019 dollars) were necessary to

comply with these requirements. For the areas already classified as non-attainment under the 2012 PM NAAQS, any lowering of the PM NAAQS would layer on additional requirements on top of existing regulatory requirements, some of which have compliance dates stretching out past 2025.

Section 109(d) of the Clean Air Act requires CASAC to advise the Administrator on any adverse public health, welfare, social, economic or energy effects that may result from attainment and maintenance of such NAAQS. Any recommended revision to the NAAQS should consider the overall impact on economic growth and jobs, in particular, for increasingly larger incremental revisions to the NAAQS. While the Supreme Court has ruled on the question of the consideration of economic costs when establishing new NAAQS, there is no contradiction between the prohibition on considering costs in setting standards and providing critical advice to the EPA Administrator about negative economic or public welfare effects that may result from efforts to attain new standards.

Current tools to address NAAQS are being pushed to the limits as new, more stringent air standards are moved closer to background concentrations of criteria pollutants. The role of background PM in the NAAQS is of growing importance, in regions throughout the country, as the margin between background PM concentrations and the NAAQS is shrinking, leaving little space for reasonable economic growth and incrementally increasing the costs of compliance. In addition, PM contributions from exceptional events such as prescribed fires and wildfires become more significant the lower the ambient PM standards. For example, as the Policy Assessment details, PM 2.5 emissions from fires and dust alone comprise 50 percent of national emissions, far greater than major sectors such as stationary fuel combustion (14 percent), mobile sources (7 percent), and industrial processes (5 percent).

Regarding the risk assessment, the draft Policy Assessment concludes that lower alternative standard levels would result in substantial decreases in risk; however, we are concerned with the level of uncertainty reported in the analysis. As shown in Table C-6 in the draft Policy Assessment, average modeled PM_{2.5} concentrations often differed from average observed concentrations by over 1 µg/m³, and as much as 2.7 µg/m³. The difference in the modeled uncertainty may be larger than the alternative standards considered drawing into the question the effectiveness of changing the standard levels.

We suggest that CASAC place considerable weight in their recommendation on the level of uncertainty identified by EPA in the draft Policy Assessment. The potential dampening of economic growth across a broad swath of the economy in light of this uncertainty is concerning. For this reason and the others stated previously, the Chamber recommends CASAC encourage the Administrator to consider seriously the option of retaining the current NAAQS.

Thank you for the opportunity to provide our comments.